



SF 2109 – Traffic Signal Violations (red light running) (LSB 5171SV)
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Fiscal Note Version – New

Description

Senate File 2109 adds Code Section 321.256 (failure to obey an official traffic control device) and Section 321.257 (failure to obey an official traffic control signal) to the list of simple misdemeanor offenses that may be subject to an enhanced penalty of additional fines and licensing sanctions, if the violation causes serious injury or death.

Background

Correctional and Fiscal Information

- Under current law, a motor vehicle operator convicted of failing to obey an official traffic control device or signal is subject to a scheduled fine of \$35.
- In FY 2009, there were 3,287 convictions for failure to obey an official traffic control device and 719 convictions for failure to obey a traffic signal. Of those, 15 were against pedestrians/bicyclists and the remainder were for vehicle drivers. The pedestrian violations were for failing to stop and failure to obey “don’t walk” signs.

Minority Data Information

The U.S. Census estimate for Iowa was 3.0 million people as of July 1, 2008 (the most current estimate available). Men comprise 49.3% of the population. Approximately 92.0% of Iowa’s population is white. The composition of the remaining 8.0% is: 3.2% black, 0.3% American Indian or Alaska Native; 1.7% Asian; and 2.8% is of two or more races or unknown.

Assumptions

Correctional and Fiscal Information

- Under Senate File 2109, if the violation causes serious injury to another person, the court may impose an additional fine of \$500 or a driver’s license suspension for up to 90 days, or both. For a violation that causes the death of a person, the court may impose an additional fine of \$1,000 or driver’s license suspension for up to 180 days, or both.
- The average cost of court time for a simple misdemeanor violation is \$26.

Minority Data Information

Approximately 14.0% of Iowa’s population has at least one disability. The number of disabled offenders convicted under this Bill may be 14.0%.

Summary of Impacts

Correctional Impact

The correctional impact cannot be determined as it is not known how many violations will result in an enhanced penalty due to the serious injury or the death of a person.

Minority Impact

The minority impact is anticipated to be minimal.

Fiscal Impact

The average State cost for one simple misdemeanor conviction ranges from \$26 to \$326 (court costs plus indigent defense). With the enhanced penalty, there may be more cases being litigated, however, the number of violations resulting in an enhanced penalty due to the serious injury or the death of a person cannot be determined.

Sources

Criminal and Juvenile Justice Planning Division
Judicial Branch
Indigent Defense

/s/ Holly M. Lyons

February 8, 2010

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the correctional and minority impact statements were prepared pursuant to [Section 2.56, Code of Iowa](#). Data used in developing this fiscal note, including correctional and minority impact information, is available from the Fiscal Services Division of the Legislative Services Agency upon request.
